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EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

**Separate paging is given to this Part in order that it may be filed as a separate compilation**

## MINISTRY OF COMMERCE

### NOTIFICATION

*New Delhi, the 27th February* 1965

**G.S.R. 321.**—In exercise of the powers conferred by section 22 of the Textiles Committee Act, 1963 (41 of 1963), the Central Government hereby makes the following rules the same having been previously published as required by sub-section (1) of the said section, namely —

1. **Short title.**—These rules may be called the Textiles Committee Rules, 1965.

2. **Definitions.**—In these rules, unless the context otherwise requires—

(a) "Act" means the Textiles Committee Act, 1963 (41 of 1963);

(b) "Bank" means the State Bank of India;

(c) "Secretary" means the Secretary of the Committee appointed under section 9;

(d) "section" means a section of the Act;

(e) "Standing Committee" and "ad-hoc Committee" respectively mean the Standing Committee and ad-hoc Committee constituted under section 8;

(f) all words and expressions used but not defined in these rules and defined in the Act shall have the meanings respectively assigned to them in the Act.

3. **Composition of the Committee.**—The Committee shall consist of the following members, namely:—

(a) a Chairman to be appointed by the Central Government;

(b) a Vice-Chairman who shall be the Textile Commissioner, *ex-officio;*

(c) the Joint Secretary to the Government of India in charge of textiles to be appointed by the Central Government, *ex-officio;*

(d) a representative of the Ministry of Finance of the Central Government to be appointed by the Central Government, *ex-officio;*

(e) not more than three other officials to be appointed by the Central Government;

(f) the Chairman of the Indian Cotton Mills' Federation;

(g) the Chairman of the Cotton Textiles Export Promotion Council;

(h) the Chairman of each of the Millowners' Associations at Ahmedabad, Bombay, Calcutta, Coimbatore and Kanpur;

(i) the President of the Textile Machinery Manufacturers' Association;

(j) the President of the Silk and Rayon Textiles Export Promotion Council;

(k) the Chairman of the Woollen Development Council;

(l) two persons representing the indigenous textile machinery manufacturing industry to be appointed by the Central Government;

(m) two persons representing the Export Trade in Cotton Textiles to be appointed by the Central Government;

(n) one person representing the Export Trade in silk and Rayon Textiles to be appointed by the Central Government;

(o) one person representing the Export Trade in Woollen Textiles to be appointed by the Central Government;

(p) two persons to be appointed by the Central Government of whom one shall be a textile technologist and the other having specialised knowledge of the adaptation of quality standards and the procedure for inspection of textiles and textile machinery;

(q) one person to represent cotton growers in India to be appointed by the Central Government;

(r) two persons to represent Handloom Industry;

(s) the Directors of the three Textile Research Associations at Ahmedabad, Bombay and Coimbatore;

(t) four persons having specialised knowledge or practical experience in matters relating to the textile industry and trade or the manufacture of textile machinery, to be appointed by the Central Government;

(u) the Director, Indian Standards Institution, New Delhi.

4. **Casual vacancies.**—Every vacancy in the membership of the Committee shall be filled by appointment of another person by the Central Government under section 3.

5. **Term of office.**—(1) Subject to the provisions of rule 7, every member, other than the vice-Chairman and the Joint Secretary to the Government of India in charge of Textiles, shall unless he resigns his office or dies at an earlier date hold office for a period of three years from the date of his appointment as a member under section 3.

(2) A person appointed to fill in a casual vacancy shall hold office for so long only as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

6. **Disqualification for membership.**—An undischarged insolvent or a person convicted of any offence involving moral turpitude shall not be eligible for becoming a member and, if the insolvency or the conviction, as the case may be, occurs after the appointment of the person as a member, the Central Government shall remove him from the membership of the Committee.

7. **Termination of membership before the expiry of term.**—When a person is appointed as a member by virtue of an office held by him, his membership of the Committee shall be terminated when he ceases to hold that office and the vacancy so caused shall be deemed to have been filled by his successor to that office.

8. **Resignation.**—(1) The Chairman may resign his office by writing under his hand addressed to the Central Government and his resignation shall take effect from the date on which it is accepted by the Central Government.

(2) A member other than the Chairman may resign his office by writing under his hand addressed to the Chairman who shall forward the resignation to the Central Government and the resignation shall take effect from the date on which it is accepted by the Central Government.

9. **Register of members.**—(1) The Committee shall maintain a register in which the name and address of each member shall be entered.

(2) If a member changes his address, he shall notify his new address to the Secretary and the Secretary shall amend the relevant entry in the register accordingly.

10. **Absence of members from India.**—(1) Before a member leaves India, he shall inform the Chairman and intimate to him the date of his departure and the date of his expected return to India.

(2) If he intends to be or is actually absent from India for a period longer than six months, he shall tender his resignation unless the Chairman, at his discretion, allows him to continue as a member.

(3) If a member is continuously absent from India for a period longer than six months and has not informed the Chairman under sub-rule (1) the Central Government may remove him from the membership of the Committee.

11. **Member absenting himself from two consecutive meetings of the Committee.**—Any member who, without the permission of the Chairman, absents himself from two consecutive meetings of the Committee shall be liable to be removed from the membership of the Committee by the Central Government.

12. **Substitute members.**—Where any member is unable to attend any meeting of the Committee or of any Standing Committee or *ad hoc* Committee due to illness or otherwise, he may, with the previous sanction of the Central Government, depute any other person on his behalf to attend that meeting and the person so deputed shall have all the rights and privileges of a member.

13. **Allowances of members.**—(1) Save with the previous sanction of the Central Government and subject to the provisions of this rule, no remuneration other than travelling and daily allowances shall be paid to any member on account of his services as such.

(2) A non-official member being a resident at the place where a meeting of the Committee is held but residing at a distance of 8 kilo metres or more from the place where such meeting is held shall be entitled to a conveyance allowance at the rate of thirty paise per kilometre for attending any such meeting:

Provided that such allowance shall be restricted to the actual cost of conveyance hire subject to a maximum of ten rupees per day;

(3) A non-official member not resident at the place where a meeting is held shall be entitled to travelling and daily allowances in respect of the meeting which he attends to the following extent:

(a) actual rail (including air-conditioned coach) fare or standard air fare, subject to the limit of the fare on return tickets where available, to and from his place of residence;

(b) daily allowance for the period the member is required to stay for the meeting and for the day immediately preceding the meeting if he arrives in the forenoon.

Provided that

(i) a daily allowance at the rate not exceeding fifty rupees per diem may be allowed if the meeting is held in Bombay or Calcutta;

(ii) in case the meeting is held at any other place, the daily allowance may be allowed at a rate which is considered reasonable by the Committee in the circumstances of the case; so however that such rate shall be less than that admissible under clause (i);

(iii) no travelling or daily allowance shall be admissible to a member unless he certifies that he has not drawn any such allowance from any other source in respect of the journey and halt for which the claim is made.

(4) The grant of travelling and daily allowances to an official member of the Committee shall be governed by the rules relating to the grant of travelling and daily allowances to officers of the Central Government for the time being in force, and any expenditure towards the payment of such allowances shall be borne by the Central Government in the Ministry or Department to which the officer belongs.

14. **Maintenance of office.**—The Committee shall maintain an office for the transaction of its business and may open branch offices if it considers necessary to do so.

15. **Method of appointment, conditions of service and scale of pay of secretary.**—(1) The Secretary shall be a full time officer of the Committee and shall be appointed by the Central Government.

(2) The terms and conditions of service of the Secretary shall be the same as those of officers of the Central Government or of the Committee, of equivalent grade.

(3) The scale of pay of the Secretary shall be fixed by the Central Government on the basis of the recommendations made to it in this behalf by the Committee.

16. **Discharge of secretary's functions in his absence.**—When the Secretary is unable to discharge his functions for any reason whatsoever the Chairman or, in his absence, the Vice-Chairman may, by order in writing and with the approval of the Central Government, authorise any other officer of the Committee, to discharge such of the functions of the Secretary as may be specified in the order.

17. **Working year of Committee.**—The working year of the Committee shall be the financial year.

18. **Statement of accounts and Balance Sheet.**—The annual statement of accounts and balance sheet shall be prepared by the Committee as provided for under sub-section (1) of section 13.

19. **Heads of receipts.**—The receipts of the Committee shall include all sums received by the Committee during the year to which the accounts relate and shall be shown under the following heads, namely:—

(a) sums received by the Committee by way of grant from the Central Government under section 6 or otherwise.

(b) sums received by the Committee by way of fees levied under sub-section (1) of section 12;

(c) interest accrued on investments; and

(d) miscellaneous.

The opening balance shall be shown at the head of the accounts on the receipts side.

20. **Heads of Expenditure.**—The expenditure incurred by the Committee shall be shown under the following heads or any other heads which may be decided upon by the Committee from time to time subject to the approval of the Central Government namely:—

(a) pay of Officers;

(b) pay of Establishment;

(c) travelling and other allowances;

(d) grants-in-aid for promotion of exports of textiles and textile machinery and for carrying on propaganda for that purpose;

(e) measures taken for promoting scientific, technological and economic research in textile industry and textile machinery;

(f) other charges relating to items like stationery, printing, postage, telephones and rent.

21. **Fee for Inspection Examination and other services rendered by the Committee.**—(1) The Committee may with effect from 1st March, 1965 levy and collect

for inspection and examination of textiles and textile machinery specified in column 2 of the Table below, the fee specified in the corresponding entry in column 3 of that Table:

TABLE

| Sl. No. | Description of textile and textile machinery | Fee |
|---|---|---|
| 1 | 2 | 3 |
| 1. | Cotton cloth where the average count of yarn used in the cloth is less than 35s. | 6 paise for every 100 square metres manufactured. |
| 2. | Cotton cloth where the average count of yarn used in the cloth is 35s or finer. | 10 paise for every 100 square metres manufactured. |
| 3. | Woollen yarn. | 2 paise per kg. manufactured. |
| 4. | Man-made cellulosic or non-cellulosic filament yarn. | 2 paise per kg. manufactured. |
| 5. | Man-made cellulosic fibre cut to staple length. | 2 paise per kg. manufactured. |
| 6. | Textile machinery. | 8 paise per Rs. 100/- *ad valorem* on the ex-factory price of the machinery manufactured. |

(2) The Committee may levy and collect, for any other service rendered by it to the manufacturers of textiles and textile machinery, such fee as it may fix with the approval of the Central Government.

22. **Maintenance and Operation of Bank Accounts and Investments of the Fund of the Committee.**—(1) All moneys accruing or payable to the Fund, either by way of grants from the Central Government under section 6 or accruing from any other source or sources, shall be received by the Secretary or such other officer of the Committee as the Committee or the Chairman may authorise in this behalf and the amount or amounts so received shall, as soon as practicable, be duly acknowledged by a receipt and deposited in the Bank to the credit of the Fund.

(2) The receipt books shall be numbered serially by machine and the unused forms shall be kept in the custody of the Secretary or such other officer of the Committee as may be authorised by the Committee or by the Chairman in this behalf.

(3) All payments by or on behalf of the Committee shall be made by cheques except for amounts not exceeding Rs. 100/- which may be made in cash from the amount of imprest sanctioned for such purpose:

Provided that payments towards salaries and allowances to officers and servants of the Committee may be made by cheques or in cash as may be convenient.

(4) All cheques and all orders for making deposits or investments or for the withdrawal of the same or for the disposal in any other manner of the moneys in the Fund shall be signed by the Secretary or by any officer duly authorised by the Committee in this behalf, and counter-signed by the Vice-Chairman or any other officer duly authorised by him:

Provided that cheques in respect of salary, travelling and daily allowances, and contingent expenditure shall not require counter-signature unless the amount exceeds rupees ten thousand.

(5) No payment shall be made out of the Fund unless the expenditure is covered by a Budget grant.

(6) There shall be drawn from the Bank and placed at the disposal of the Secretary, a permanent advance of Rs. 2,000/- to be recouped as required, and

in any case at the end of each month, to meet petty expenditure of the office of the Committee.

(7) All monetary transactions shall be entered in the cash book as soon as they occur and attested by the Secretary or any other officer of the Committee, authorised by the Chairman, in token of check and the cash book shall be closed daily and completely checked by the Secretary or the officer authorised by him in this behalf and at the end of each month, the Secretary or such other officer shall verify the cash book and the cash in hand and record a signed and dated certificate to that effect.

(8) All payments by the Committee shall be made on bills or other documents duly prepared and passed by the Secretary or other officer of the Committee authorised by the Chairman in this behalf.

(9) The paid vouchers shall be stamped "PAID" or cancelled in such a manner that they cannot be used a second time and they shall then be kept serially numbered and produced at the time of audit.

23. **Deposit in Bank or Investments in Securities of Surplus Monies.**—(1) Any monies not required for current expenditure may be placed in fixed deposit with the Bank or invested in the name of the Committee in any security in which trust property may lawfully be invested under the Indian Trusts Act, 1882 (2 of 1882).

(2) The placing of money in fixed deposit and the investment thereof and the disposal of money so placed or invested shall require the previous sanction of the Chairman.

24. **Audit of Accounts.**—(1) The accounts of receipts and expenditure relating to each financial year, together with the Auditors' Report thereon, shall be submitted to the Central Government as soon as may be, after the close of that year.

(2) The annual accounts and the Auditors' Report thereon shall be published in the Gazette of India after they have been laid before each House of Parliament.

(3) The initial accounts of receipts and expenditure shall be maintained by the Committee in the form of an ordinary Cash Book, and shall be locally test-audited by the Deputy Accountant General, Commerce, Works and Miscellaneous, or any other officer authorised by the Central Government in this behalf.

(4) The items of receipts representing withdrawals from the Current Account with the Bank shall be supported by counterfoils of the cheque book, and other items, like recoveries made from the employees on account of subscriptions to the Contributory Provident Fund, by connected bills and other vouchers in which recoveries have been made.

(5) Each item of expenditure shall be supported by a payment receipted voucher from the person to whom the amount is disbursed and the general or the special sanction authorising the expenditure shall be duly quoted on the voucher.

(6) The annual accounts shall be set out and produced by the Secretary before the Auditors for scrutiny on or before the 31st of July each year following the close of the financial year to which they relate.

25. **Borrowing Monies from the Central Government.**—The Committee may borrow monies from the Central Government for development or such other work under conditions that may be applicable to such loans from the Central Government.

26. **Procedure for Execution of Contracts.**—Every contract to be entered into by the Committee under the Act shall be made on behalf of the Committee by the Chairman or the Secretary, provided that the previous sanction of the Committee shall be obtained for any contract involving an expenditure exceeding Rs. 10,000/-.

27. **Common Seal and affixing the same to Contracts.**—(1) The common seal of the Committee, shall remain in the custody of the Secretary and the same shall not be affixed to any instrument except in the presence of the secretary and the Chairman or the Vice-Chairman or two members of the Committee authorised in

this behalf by the Chairman and the Secretary and the Chairman or Vice-Chairman or the said two members shall sign the contract in token of the fact that the same was sealed in their presence.

(2) An instrument to which the common seal is duly affixed under sub-rule (1) shall be legally binding on the Committee.

28. **Submission of Draft Contracts for Approval.**—The draft of all contracts to be entered into by the Committee shall be submitted by the Secretary to the Solicitor General of India or any person nominated by him to act on his behalf for advice as to the correctness of its form.

29. **Preparation and Submission of Annual Budget Estimates.**—(1) The budget estimates of the Committee for each financial year shall be prepared by the Secretary in such form as the Central Government may, from time to time, direct and shall be submitted by the Secretary with his recommendations to the Committee for approval.

(2) A copy of the budget estimates shall be sent to each member by registered post at least five clear days before the meeting of the Committee at which these estimates are to be considered.

(3) The Committee shall consider and approve the budget estimates with such changes as it may consider necessary.

30. **Supplementary Estimates.**—(1) The Committee may cause a supplementary estimate to be prepared, if, in respect of any financial year, further expenditure is likely to be incurred.

(2) The provisions of rule 30 shall, so far as it may be, apply to such supplementary estimate.

31. **Sanction of Expenditure not to be operative until Appropriation of Funds.**—No sanction of expenditure shall become operative unless there has been an appropriation of funds under these rules to cover the expenditure.

32. **Liabilities.**—All liabilities incurred by or on behalf of the Committee under any judgment, decree or order of court or any contract or otherwise shall be met from the moneys in the Fund.

[No. 25(38)-Tex(A)/63.]

B. G. RAU, Addl. Secy.

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